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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: NAGASAWA=6

In re Application of: ) Art Unit: 1634  
                          ) )  
Hiroshi NAGASAWA      ) Examiner: B. J. Forman  
                          ) )  
Appln. No.: 10/028,910 ) Washington, D.C.  
                          ) )  
Date Filed: December 28, 2001 ) Confirmation No. 2855  
                          ) )  
For: AFFINITY DETECTING/ ) April 15, 2002  
ANALYTICAL CHIP, METHOD )  
FOR PRODUCTION THEREOF... )

REPLY TO RESTRICTION REQUIREMENT

Honorable Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicant is in receipt of the Office Action mailed March 15, 2002, primarily in the nature of a requirement for restriction.

Acknowledgement by the PTO of the receipt of applicant's papers filed under Section 119 is noted.

As regards the restriction requirement, and in view of the fact that applicant must make an election even though the requirement is traversed, applicant hereby respectfully and provisionally elects Group I directed to the product and its method of manufacture, presently comprising claims 1-3, with traverse and without prejudice.

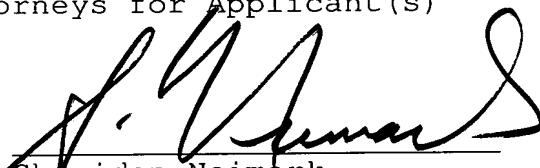
Applicant traverses on the basis of the second paragraph of MPEP Section 803 which requires examination of an entire application, even though the restriction requirement may be 100% correct, if it would not constitute a serious burden to examine plural groups. Applicant understands that the groups are separately classified, but applicant believes that the groups are sufficiently closely tied so that a complete consideration of Group I would also require deep consideration of Group II. Once Group II is so considered, applicant believes and submits that it would not constitute a serious burden to also examine claims 4 and 5.

Accordingly, applicant respectfully requests withdrawal of the restriction requirement and examination on the merits of all the claims.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.  
Attorneys for Applicant(s)

By



Sheridan Neimark  
Registration No. 20,520

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: H. NAGASAWA

Appn. No. 10/028,910

Date Filed: December 28, 2001

For: AFFINITY DETECTING/ANALYTICAL CHIP, METHOD,



Art Unit: 1634

Examiner: W. C. Joyce

Washington, D.C.

Atty.'s Docket: NAGASAWA=

Date: April 15, 2002

Confirmation No. 2855

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TECH CENTER 1600/2900

THE COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

Sir:

Transmitted herewith is a [X] REPLY TO RESTRICTION REQUIREMENT in the above-identified application.

[ ] Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted

[ ] A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.

[XX] No fee is required.

The fee has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA EQUALS
TOTAL	*	MINUS ** 20	0
INDEP.	*	MINUS *** 3	0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM			

ADDITIONAL FEE TOTAL

SMALL ENTITY	
RATE	ADDITIONAL FEE
x 9	\$
x 42	\$
+ 140	\$
ADDITIONAL FEE TOTAL	

OR

OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE
x 18	\$
x 84	\$
+ 280	\$
TOTAL	

OR

- \* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- \*\* If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.
- \*\*\* If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

[XX] Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[ ] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

## Small Entity

## Response Filed Within

- [ ] First - \$ 55.00
- [ ] Second - \$ 200.00
- [ ] Third - \$ 460.00
- [ ] Fourth - \$ 720.00

## Month After Time Period Set

## Other Than Small Entity

## Response Filed Within

- [ ] First - \$ 110.00
- [ ] Second - \$ 400.00
- [ ] Third - \$ 920.00
- [ ] Fourth - \$ 1440.00

## Month After Time Period Set

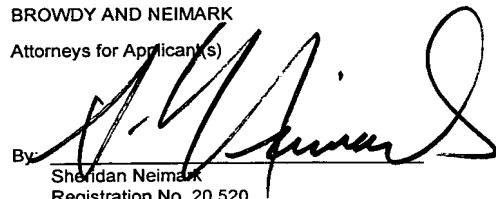
[ ] Less fees (\$\_\_\_\_\_) already paid for \_\_\_\_ month(s) extension of time on \_\_\_\_\_.

[ ] Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$.

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

BROWDY AND NEIMARK

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